

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**MARCUS HAHN,**

**Petitioner,**

**v.**

**No. 21-cv-0880 KWR-SMV  
No. 00-cr-0082 KWR-SMV**

**UNITED STATES OF AMERICA,**

**Respondent.**

**ORDER DENYING MOTION TO EXCEED PAGE LIMIT and  
STRIKING HABEAS BRIEF**

This matter is before the Court on Petitioner’s Motion to Exceed Page Limit. [CV Doc. 4]. Petitioner initiated this case on September 8, 2021 by filing a 28 U.S.C. § 2255 habeas motion. [CR Doc. 254; CV Doc. 1]. He challenges his federal drug and gun convictions based on, *inter alia*, ineffective assistance by counsel. On November 12, 2021, Petitioner filed a 109-page habeas brief titled “Memorandum of Points and Authorities in Support of Motion to Vacate [or] Set Aside or Correct Judgment Under 28 U.S.C. § 2255”; a 163-page Appendix of Exhibits; and the instant request to exceed page limits. [CV Docs. 4–6]. Petitioner alleges “there are extraordinary material facts, record evidence[,] and extra record evidence that have been discovered ... over the years that require ... detailed and lengthy articulation.” [CV Doc. 4] at 3. This explanation is insufficient to justify the voluminous habeas brief. Habeas Rule 2(b) only requires a petitioner to specify grounds for relief; state the facts supporting each ground; and state the relief requested. Accordingly, the Court will deny the Motion to Exceed Page Limit and strike the habeas brief filed on November 12, 2021.

Within 60 days of entry of this Order, Petitioner may re-file an optional habeas brief that does “not exceed twenty-seven (27) double spaced pages.” D.N.M.LR-Civ. 7.5. The Court will not strike Petitioner’s Appendix of Exhibits [CV Doc. 6] at this stage. However, any habeas brief must cite to specific pages and exhibits within the Appendix. The Court will not sua sponte comb the 163-page Appendix to give context to Petitioner’s claims.

**IT IS ORDERED** that Petitioner’s Motion to Exceed Page Limit [CV Doc. 4] is **DENIED**, and the Court **STRIKES** Petitioner’s Memorandum of Points and Authorities in Support of Motion to Vacate [or] Set Aside or Correct Judgment Under 28 U.S.C. § 2255 [CV Doc. 5].

**IT IS FURTHER ORDERED** that within 60 days of entry of this Order, Petitioner may re-file an optional habeas brief that does not exceed 27 double spaced pages.

**IT IS SO ORDERED.**

  
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STEPHAN M. VIDMAR  
UNITED STATES MAGISTRATE JUDGE